

Notice of Allowability

Application No.

09/961,441

Examiner

Steven H. Rao

Applicant(s)

KHAN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/29/2005.
2. ☒ The allowed claim(s) is/are 1,2,4-18,26 and 35-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 03/04/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Response to Amendment

Applicants' amendment filed on July 21, 2005 has been entered and forwarded to the examiner on July 29, 2005.

Therefore claims 1,6-8,12, 13,15-17,26,35-46, and presently newly added claims 47 and 48 and claims 2,4-5, 9-11, 14as previously recited are currently pending in the Application.

Claims 3, 19-25 and 27-34 have been cancelled.

Allowable Subject Matter

Claims 1-2, 4-18,26,35-48 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitation of the dependent claims, in such manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The applied prior art fails to teach a combination of all the claimed features as presented in independent claims, which include a a bistable, backlit cholesteric liquid crystal display device as claimed in independent claims (1, 12,26, 35, 44- 48) including a) a layer of cholesteric liquid crystal material located between first and second substrates, said cholesteric liquid crvstal material including focal conic and reflective planar textures that are stable in an absence of an electric field, said second substrate being closer t o an exterior of the display than said first substrate, and drive electronics that adapted to electrically address regions of the cholesteric liquid crystal material effective to cause said cholesteric liquid crystal material to exhibit the focal conic and planar textures resulting in an image and a bi-

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directional circular polarizer having opposing sides, wherein said bi-directional circular polarizer circularly polarizes light incident from either of said opposing sides including passing circularly polarized light to said layer of cholesteric liquid crystal material', and a transreflector having a light reflective side and a light transmitting side, the light reflective side being adapted to reflect light received from said bi-directional circular polarizer, said bi-directional circular polarizer being located between said trans reflector and said first substrate, and a light source ' adapted to be selectively energizable to emit light, said light passing through said transreflector from said light transmitting side toward said light reflecting side.

According to the deceleration submitted by Dr. Khan the prior art of record e.g. Maeda would be inoperable because a linear polarizer cannot be replaced by a bi-directional circular polarizer or otherwise modified such that circularly polarized light, rather than linearly polarized light reaches the TN or STN display. (See also USP Nos. 6,034,752; 6,377,321; 6,483,563; and 6,532,052).

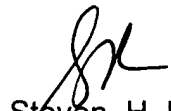
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven H. Rao whose telephone number is (571) 272-1718 . The examiner can normally be reached on 8.00 to 5.00.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven H. Rao

Patent Examiner

9/19/05



LONG PHAM
PRIMARY EXAMINER